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SERIES I No. 12

OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Finance

Debt Management Division

Notification

5-3-2016-Fin(DMU)/Part

Government of Goa hereby notifies the sale of Goa Government Stock (securities) of 10-year tenure for an aggregate amount of **Rs. 100.00** crore (Nominal). The sale will be subject to the terms and conditions spelt out in this notification (called specific notification) as also the terms and conditions specified in the General Notification **No. 5/2/2010-Fin (DMU)** dated **July 18, 2007** of Government of Goa.

Object of the Loan

(i) The proceeds of the loans will be utilized for financing capital expenditure in connection with the development programmes of the Government of Goa.

(ii) Consent of Central Government has been obtained to the floatation of this loan as required by Article 293(3) of the Constitution of India.

Method of issue

2. Government Stock will be sold through the Reserve Bank of India, Mumbai Office

(PDO) Fort, Mumbai-400 001 by auction in the manner as prescribed in paragraph 6.1 of the revised General Notification **No. 5/2/2010-Fin (DMU)** dated **July 18, 2007** at a coupon rate to be determined by the Reserve Bank of India at the yield based auction under multiple price format.

Allotment to Non-competitive Bidders

3. The Governments Stock up to 10% of the notified amount of the sale will be allotted to eligible individuals and institutions subject to a maximum limit of 1% of the notified amount for a single bid as per the Revised Scheme for Non-competitive Bidding Facility in the Auctions of State Government Securities of the General Notification.

Place and Date of Auction

4. The auction will be conducted by the Reserve Bank of India, at its Mumbai Office, Fort, Mumbai 400 001 on **June 28, 2016**. Bids for the auction should be submitted in electronic format on the Reserve Bank of India Core Banking Solution (E-Kuber) system as stated below on **June 28, 2016**.

(a) The competitive bids shall be submitted electronically on the Reserve Bank of India Core Banking Solution (E-Kuber) system between 10.30 a.m. and 12.00 p.m.

(b) The non-competitive bids shall be submitted electronically on the Reserve Bank of India Core Banking Solution (E-Kuber) system between 10.30 a.m. and 11.30 a.m.

Result of the Auction

5. The result of the auction shall be displayed by the Reserve Bank of India on its website on the same day. The payment by successful bidders will be on **June 29, 2016**.

Method of Payment

6. Successful bidders will make payments on **June 29, 2016**, before close of banking hours by means of cash, bankers' cheque/pay order, demand draft payable at Reserve Bank of India, Mumbai or a cheque drawn on their account with Reserve Bank of India, Mumbai (Fort)/Mumbai.

Tenure

7. The stock will be of 10-year tenure. The tenure of the Stock will commence on **June 29, 2016**.

Date of Repayment

8. The loan will be repaid at par on **June 29, 2026**.

Rate of Interest

9. The cut-off yield determined at the auction will be the coupon rate percent per annum on the Stock sold at the auction. The interest will be paid on **December 29** and **June 29**.

Eligibility of Securities

10. The investment in Government Stock will be reckoned as an eligible Investment in Government Securities by banks for the purpose of Statutory Liquidity Ratio (SLR) under Section 24 of the Banking Regulation

Act, 1949. The Stocks will qualify for the ready forward facility.

By order and in the name of the Governor of Goa.

Daulat A. Hawaldar, Secretary (Finance).

Porvorim, 24th June, 2016.

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Department of Law & Judiciary

Legal Affairs Division

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Notification

8/2/2016-LA

The Goa Regularization of Unauthorized Construction Ordinance, 2016 (Ordinance No. 2 of 2016), which has been promulgated by the Governor of Goa on 24-6-2016, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 24th June, 2016.

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The Goa Regularisation of Unauthorized Construction Ordinance, 2016

(Ordinance No. 2 of 2016)

Promulgated by the Governor of Goa in the Sixty-seventh Year of the Republic of India.

An Ordinance to provide for regularisation of unauthorized constructions in the State of Goa and for matters connected and incidental thereto.

Whereas, the Legislative Assembly of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for her to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title, extent and commencement.*—
(1) This Ordinance may be called the Goa Regularisation of Unauthorized Construction Ordinance, 2016.

(2) It shall extend to the whole of the State of Goa.

(3) It shall come into force at once.

2. *Definitions.*— In this Ordinance, unless the context otherwise requires,—

(a) “Authorised Officer” means a officer as authorised under sub-section (1) of the section 3;

(b) “Competent Authority” means the authority competent to issue sanad, permission/licence, no objection certificate, etc. for carrying out construction under the relevant Act;

(c) “Government” means the Government of Goa;

(d) “Official Gazette” means the Official Gazette of the Government;

(e) “Local Authority” means the Corporation of the City of Panaji, Municipal Council, Village Panchayat and includes the Planning and Development Authority;

(f) “Relevant Act” means,—

(i) the Goa Land Revenue Code, 1968 (Act No. 9 of 1969);

(ii) the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act No. 21 of 1975); or

(iii) the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003); or

(iv) the Goa Municipalities Act, 1968 (Act No. 7 of 1969); or

(v) the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994);

(vi) the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008); or

(vii) any other State law which regulates the construction in the State, and the rules, regularisation, bye-laws, notifications and orders issued thereunder;

(g) “State” means the State of Goa;

(h) “unauthorized construction” means any construction which has been carried out before the 28th day of February, 2014, in the State of Goa, without obtaining sanad, permission/licence, no objection certificate from the Competent Authority under the relevant Act.

3. *Regularisation of unauthorised construction.*— (1) A person who has carried out unauthorised construction in the property specified herein below before the 28th day of February, 2014, may make an application in the Form I hereto accompanied with the fee of Rupees five and documents specified in Schedule I hereto to the officer not below the rank of the Collector as may be authorised by the Government by Notification in the Official Gazette, for regularisation of such unauthorised construction within a period of 180 days from the date of coming into force of this Ordinance.

(a) Any residential, commercial or residential cum commercial unauthorised construction in one’s own property.

(b) Such construction which has been carried out by a co-owner with written consent of all other co-owner/s thereto in a property jointly held by such co-owner.

(c) Unauthorised construction of a dwelling house by a person declared/registered as mundkar under the provisions of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976) or a farm house

constructed by a tenant or owner in an agricultural field.

(d) Unauthorised construction in a undivided property held jointly by a unit of family or families with written consent of every such member of the family.

(e) Unauthorised construction in a property belonging to an Institution or a person other than an individual, with necessary approval/consent of the concerned body.

(f) Unauthorised construction in a property owned by a person not related to the applicant with his consent.

(2) The Authorised Officer shall issue acknowledgment to the applicant of having received the application under sub-section (1).

(3) The Authorised Officer shall scrutinise the application received under sub-section (1) and after holding an enquiry as he deems fit and subject to payment being made by the applicant according to the Schedule II hereto as determined by the Authorised Officer, pass an order of regularisation of such unauthorised construction:

Provided that the build up area of the unauthorised construction which is to be regularised shall not exceed,—

(i) 200 sq. mts. in case such construction is meant for personal residence of the applicant;

(ii) 100 sq. mts. in case such construction is meant for commercial purpose of the applicant;

(iii) 250 sq. mts. in case such construction is meant for residential cum commercial purpose of the applicant;

(iv) 400 sq. mts. in case such construction is meant for Institutional purpose:

Provided further that the Authorised Officer shall not entertain any application under sub-section (1) if unauthorised construction falls within the limits of the protected forest, area declared as a wild life sanctuary, area covered under the coastal regulation zone, No Development Zone, open spaces, public land, areas covered under Eco Sensitive Zone, Khazan land, or any construction which causes obstruction to any natural water channel, or any structure which is constructed by filling water bodies, or any construction in or for scrapyard.

(4) Notwithstanding anything contained in the relevant Act or any Judgment, Order, direction of any Court, tribunal or statutory authority, upon passing of the order of regularization of any unauthorised construction under this Ordinance, such unauthorised construction shall be deemed to have been regularised under the relevant Act.

(5) Where any unauthorised construction is a subject matter of dispute before any Court, tribunal or any statutory Authority, an order of regularization passed under this Ordinance shall be subject to the decision of such court or tribunal or statutory Authority:

Provided that the Authorised Officer shall not proceed with the regularization process of any unauthorized construction where such court, or tribunal or statutory authority has passed any injunction or granted status quo or any prohibitory order.

4. *Amendment to the Schedule.*— The Government may by notification in the Official Gazette add to, or omit from, or otherwise amend any entry of, the Schedule-II hereto and thereupon the Schedule-II shall be deemed to have been amended accordingly.

5. *Grants to the local authorities.*— The Government shall upon receipt of the payments as specified in Schedule-II, hereto, make grants to the concerned local authorities in respect of House Tax, Construction License Fees and Occupancy Fees, received as per the said schedule.

6. *Duties of officers.*— It shall be the duty of the Collector of the district and the Mamlatdar of every taluka, upon expiry of a period of 180 days from the date of coming into force of this Ordinance, to identify such construction which are unauthorized or any part of it which is unauthorized and not applied for regularization within the said period and direct the competent authorities under the relevant Acts to take immediate action for demolition of such unauthorized construction.

7. *Appeals.*— Any person aggrieved by an order passed by the Authorised Officer may prefer an appeal to the Government within a period of sixty days from the date of passing of such order.

8. *Protection of action taken in good faith.*— No suit, prosecution or any other legal

proceedings shall lie against the authorised Officer for anything which is done in good faith or intended to be done under this Ordinance.

9. *Powers to remove difficulties.*— If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by general or special order published in the Official Gazette, make such provision consistent with the provision of this Ordinance as appear to it to be necessary or expedient for the purposes of removing difficulty.

Place: Raj Bhavan,
Dona Paula-Goa.

MRIDULA SINHA,
Governor of Goa.

Date: 24th June, 2016.

FORM I

[see section 3(1)]

Application cum self declaration for regularization of unauthorized construction

To,
The Collector,
..... Goa District,
(Designated Authority),
Panaji/Margao-Goa.

Sub: Request for regularization of unauthorized construction.

Sir/Madam,

In pursuance to the Ordinance, 2016, I, Shri son/daughter/wife of, major in age, (occupation), residing at, Goa, do hereby request your good office to kindly consider my request to regularize the unauthorized construction done by me the details of which are given hereinbelow:—

1. Name of the applicant:
2. Postal address of the applicant:
3. Brief description of the unauthorized construction:
(type of structure: Residential/Commercial/
/Residential cum commercial/institutional)
4. Survey No./Sub division No.:
5. Name of the Revenue Village and Taluka:

6. Details of construction:—

- (a) Independent structure:
- (b) Expansion of existing structure:
- (c) Category of the structure:
- (d) Details of present usage:
- (e) Whether in one's property or joint or other:
- (f) If not one's property, whether NOC of owner/co-owner is attached:
- (g) Precise plinth area of the construction:
- (h) Date of completion of construction and duration of usage:

7. Details of amount paid:—

- (a) Total amount paid:
- (b) Challan/DD/PO No.:
- (c) Whether entire or 50% paid:

8. Details of pending disputes, if any:—

- (a) Before which authority/court:
- (b) Case number:
- (c) Stage of hearing:

9. Stability of structure:

- (a) Enclosed structural stability certificate issued by:

I do hereby undertake and declare that all the information given hereinabove is true and correct and that nothing therein is concealed, misrepresented or wrongly mentioned.

I further declare and undertake that I am aware that any of the above mentioned information provided by me if found to be incorrect, false or misrepresented, then the regularization of the construction, if ordered by the authorised officer shall stand automatically revoked and I shall be under bounden duty to remove the said construction immediately at my own cost.

I also declare that the said construction is not within any of the prohibited areas/sites as mentioned in the Ordinance.

I further undertake that I am in no dues to Government or local bodies and that I have paid all my dues.

I further declare that I am fully responsible for any wrong declaration given hereinabove or in any other statement that may be required to be given by me for processing my request.

Applicant/Deponent

Identified by:

Document type:

Document No.:

Before me

Executive Magistrate.

SCHEDULE-I

List of Documents in support of the claim for regularization.

Sl. No.	Document type	Issued by competent authority
1	2	3
1.	Water/Electricity/other utility services consumption bills	Issued at any date pertaining to period prior to 28th February, 2014.
2.	Aadhar Card	Issued prior to 28th February, 2014.
3.	Election Photo Identity Card	Issued prior to 28th February, 2014.
4.	Ration card	Issued prior to 28th February, 2014.
5.	Passport	Issued prior to 28th February, 2014.
6.	Telephone usage bills	Issued at any date pertaining to period prior to 28th February, 2014.
7.	House Tax receipts	Issued at any date pertaining to period prior to 28th February, 2014.
8.	Bank Account passbook of scheduled banks	Issued prior to 28th February, 2014.
9.	Postal Account passbook	Issued prior to 28th February, 2014.
10.	Any tax receipts	Issued prior to 28th February, 2014.
11.	Land Index Form I & XIV	Issued prior to 28th February, 2014.
12.	Residence/Domicile or other certificate	Issued prior to 28th February, 2014.
13.	Notice issued by any Government Department/agency	Issued prior to 28th February, 2014.
14.	Any other document to be notified by the State Government for the purposes of this Act.	

SCHEDULE-II

Table for calculating penalty, fees, charges for regularization

Area of Unauthorised Construction (in sq.mts)/ /Survey No./ /Village/ /Municipal Area/ /Category under Section 3 (3)	Conversion charges [#]	Infrastructure tax ^{\$}	Occupancy fees [£]	Construction license fees [£]	House tax [£]	Total (A+B+C + D+ E)	Penalty*	Grand Total
	A	B	C	D	E			
1	2	3	4	5	6	7	8	9

Conversion charges will be applicable as notified vide the Goa Land Revenue Code (Amendment) Act, 2013, published in Official Gazette, Extraordinary No. 4, Series I No. 7 dated 22-05-2013.

\$ Infrastructure Tax will be applicable as notified vide the Goa Tax on Infrastructure (First Amendment) Act, 2013, published in Official Gazette, Extraordinary No. 2, Series I No. 7 dated 20-05-2013.

£ Occupancy fees, Construction license fees, House tax will be applicable as existing as on date of application, in the respective Municipal/Village Panchayat areas.

* Penalty shall be over and above the total due payable amount in column (A) to (E) as follows:—

(a) residential: 5% (b) commercial: 15% (c) residential cum commercial: 10% (d) institutional: 5%.

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